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10/671,024	09/24/2003	David Sheldon Hooper	06769.P002X	7853

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EXAMINER

TRAN, TUYETLIEN T

ART UNIT	PAPER NUMBER
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2179

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/671,024	Applicant(s) HOOPER ET AL.	
	Examiner TuyetLien (Lien) T. Tran	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 7, 9-11, 14, 15, 17-25, 28-36 and 38-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-7, 9-11, 14-15, 17-25, 28-36, 38-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 11/15/06.

This action is made final.

2. Claims 1-3, 6-7, 9-11, 14-15, 17-25, 28-36, 38-51 are pending in the case. Claims 1, 9, 17-18, 29, 40-41, 46, and 51 are independent claims. Claims 1-3, 6-7, 9, 15, 17-25, 28-29, 38, 40-45 are the amended claims.

Claim Objections

3. Claim 42 has been amended and the previous objection is moot.

Claim Rejections - 35 USC § 101

4. Applicant's amendment corrects the previous 101 rejection and therefore the rejection is dropped.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the

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examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-3, 6-7, 9-11, 14-15, 17-19, 23-25, 29-30, 34-36, 38, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et. al. (Pub No. US 2004/0189707 A1, hereinafter Moore) in view of <http://Fototime.com/ftweb/fahelp/> (published web pages, "212.htm", '138.htm', '210.htm', hereinafter Fototime).

As to claims 1, 9, and 17, Moore teaches:

A computer readable storage medium containing instructions which when executed implement a system for operation and visualization of multiple content filters (a system for filtering and organizing items from computer memories, see [0013] and Fig. 1), the medium comprising:

instructions for a plurality of interfaces (interfaces for filter by date, by location, by category; see Fig. 36) for content filters that filter (see [0013] lines 4-5) a catalog of assets (group of items in libraries, such as photos, music, document, see [0018] lines 2-5 or Fig. 36 items 971-975), each interface including at least one control (pull down control menu, see Fig. 28 item 623A) for setting at least one content filter parameter (i.e., pull down menu 623A allows a user to select or set date filter parameter, see Fig. 28 item 623A), the content filters including a category based filter (e.g., see items 610 and 625 in Fig. 10) and a file folder based filter (e.g., see item 616 in Fig. 18);

instructions for a filter activation interface for displaying the content filter parameter setting (e.g., see items 610-626 in Fig. 10); and

instructions for a display interface (display area located on the right side of the display 600, see Fig. 12) for viewing a result of application of the activated content filters to the catalog

of assets (i.e., the display are only shows items that corresponds to the filter term, see [0015] lines 4-7);

Moore further teaches a display interface for activating or de-activating a content filter (i.e., selecting item 610 would de-activate all content filter while selecting item 622 would activate a calendar based filter, see Fig. 10). Moore does not expressly teach displaying corresponding checkboxes, each checkbox being used for activating or de-activating its corresponding content filter.

Fototime teaches a filter activation interface for displaying corresponding checkboxes, each checkbox being used for activating or de-activating its corresponding content filter (e.g., frame 'Other Filters' has 4 check boxes that allows a user to select optional filter such as pictures or video filters, see Figure on web page 212.htm).

Moore and Fototime are analogous art because they are from the same field of endeavor of filtering, organizing, and displaying photos based on common elements. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the filter activation feature using check boxes menu as taught by Fototime to the system of filtering digital items as taught by Moore to create a more user-friendly and more user-convenient graphical user interface to ultimately attract more users (see Fototime Figure on page 212.htm).

As to claims 18, 29, and 40, Moore teaches:

A computer readable storage medium containing instructions which when executed implement a system for retrieval of digital assets having metadata associated therewith (metadata-based view system, see [0065] and Fig. 1), the medium comprising:

instructions for an interface (interface 600, see Fig. 10) for generating a plurality of metadata constraints (i.e., date filter 622, category filter 625, see Fig. 10; it is noted that filters

are defined as metadata constraints, see [0014]), wherein each constraint sets at least one value for metadata property (e.g., see item 621 in Fig. 10), for modifying values associated with the generated metadata constraints (e.g., quick links, see [0016]);

instructions for a query processor (folder processor, see step 324 Fig. 4) for applying the activated metadata constraints (e.g., the folder processor constructs a query object based on metadata constraints and then passes it to a database, see [0089] lines 8-10); and

instructions for a display interface (display area located on the right side of the display 600, see Fig. 12) for viewing a result of said query processor (i.e., the display area only shows items that corresponds to the filter term, see [0015] lines 4-7).

Moore further teaches an interface for selectively activating or de-activating the generated metadata constraints (i.e., selecting item 610 would de-activate all content filter while selecting item 622 would activate a calendar based filter, see Fig. 10). Moore does not expressly teach checking or un-checking checkboxes corresponding to the constraints;

Fototime teaches a filter activation interface for displaying corresponding checkboxes, each checkbox being used for activating or de-activating its corresponding content filter (e.g., frame 'Other Filters' has 4 check boxes that allows a user to select optional filter such as pictures or video filters, see Figure on web page 212.htm). Therefore, it would have been obvious to one of ordinary skill in the art to have implemented a function of displaying checkboxes corresponding with filters to allow a user to select or unselect a filter as taught by Fototime to metadata constraint as taught by Moore for the same reasons as discussed with respect to claims 1, 9, and 17 above.

As to claims 2 and 10, Moore and Fototime teach the limitations of claims 1 and 9 for the same reason as discussed with respect to claims 1 and 9 above. Moore further teaches

wherein the content filters are filters for digital files (i.e., documents, photo, video, see Fig. 36 items 971-973).

As to claims 3 and 11, Moore and Fototime teach the limitation of claims 2 and 10 for the same reasons as discussed with respect to claims 2 and 10 above. Moore further teaches wherein the content filters are filters for digital image files (i.e., photo, see Fig. 36 item 972).

As to claims 6 and 14, Moore and Fototime teach the limitation of claims 3 and 11 for the same reasons as discussed with respect to claims 3 and 11 above. Moore further teaches wherein the content filters include a calendar based filter (items 622 and 623, see Fig. 10).

As to claims 7 and 15, Moore and Fototime teach the limitation of claims 3 and 11 for the same reasons as discussed with respect to claims 3 and 11 above. Fototime further teaches wherein the content filters include a geographical position based filter (e.g., 'Trips to Europe', see Group Filter on page 138.htm). Thus, combining Moore and Fototime would meet the claimed limitation for the same reasons as discussed with respect to claims 3 and 11 above.

As to claims 19 and 30, Moore and Fototime teach the limitation of claims 18 and 29 for the same reasons as discussed with respect to claims 18 and 29 above. Moore further teaches wherein metadata includes file system data (type of file information, see [0074] lines 3-4 and Fig. 36).

As to claims 23 and 34, Moore and Fototime teach the limitation of claims 18 and 29 for the same reasons as discussed with respect to claims 18 and 29 above. Moore further teaches wherein the plurality of metadata constraints (i.e., filter term, see [0014] lines 7-12) include at least one constraint (category filter 625, see Fig. 10) on category metadata (e.g., category filter 625 allows a user to filter according to a selected category information, see [0104] lines 12-15).

As to claims 24 and 35, Moore and Fototime teach the limitation of claims 18 and 29 for the same reasons as discussed with respect to claims 18 and 29 above. Moore further teaches wherein the plurality of metadata constraints include at least one constraint on property metadata (filter terms are built based on metadata properties, see [0014] lines 7-12).

As to claims 25 and 36, Moore and Fototime teach the limitation of claims 18 and 29 for the same reasons as discussed with respect to claims 18 and 29 above. Moore further teaches wherein said interface is used for saving a group of at least one metadata constraint as a filter (i.e., a user might filter down to all of the document that they modified in January 2003, and then could save that as a quick link 'January Work', see [0016] lines 9-12).

As to claim 38, Moore and Fototime teach the limitation of claim 29 for the same reasons as discussed with respect to claim 29 above. Moore further teaches modifying at least one value associated with at least generated metadata constraint (i.e., users can modify 'All document' quick link and create their own one - 'January 2003', see Fig. 20 and [0016]).

7. Claims 41-42, 44-47, 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drucker et al. (Pub No. US 2006/0161867 A1, hereinafter Drucker) in view of Fototime.

As to claims 41, 46 and 51, Drucker teaches:

A computer readable storage medium containing instructions which when executed implement a system for operation and visualization of multiple content filters (a system for browsing and filtering media objects, see [0006] lines 1-4), the medium comprising:

Instructions for a plurality of filter interfaces (filter interfaces 1930 and 1935, see Fig. 19) for setting parameters (i.e., moving the slider left and right will set parameters, see Fig. 24) of

corresponding content filters that filter a catalog of assets (media objects group together, see [0006] line 2), each content filter having a lock status being in a locked or an unlocked state (i.e., video filter 1920, when illuminated, indicates that the status is locked or unlocked when it is not highlighted, see [0126]), and each filter interface having a display generator for rendering a user interface display (i.e., time slider 1935, see Fig. 24); and

Instruction for a lock processor for setting the lock status of at least one content filter (i.e., software component that sets the status of video filter 1920 from normal to illuminated to indicate un-locked or lock status respectively, see Fig. 24 or [0126]).

Drucker fails to teach that the user interface for the filter is dependent upon the lock status of another content filter.

Fototime teaches wherein at least one such user interface display for a content filter (group filter interface, see Figure on page 138.htm) is dependent upon the lock status of another content filter (i.e., date filter user interface can be combined with group filter; e.g., items displayed in group filter interface is dependent on what date range is selected from date filter, see page 138.htm lines 15-17).

Drucker and Fototime are analogous art because they are from the same field of endeavor of filtering, organizing, and displaying photos based on common elements. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the technique of rendering a filter user interface based on another filter as taught by Fototime to the system of browsing and filtering media objects as taught by Drucker to control exactly what pictures you want to see for searching more quicker and more effectively (see Fototime page 138.htm lines 15-17).

As to claims 42 and 47, Drucker and Fototime teach the limitation of claims 41 and 46 for the same reasons as discussed with respect to claims 41 and 46 above. Fototime further

teaches wherein the at least one user interface display contains at least one alphanumeric string dependent upon the lock status of another content filter (i.e., 'Trips to Europe' see Fototime page 138.htm). Thus, combining Drucker and Fototime would meet the claim limitation for the same reasons as discussed with respect to claims 41 and 46 above.

As to claims 44 and 49, Drucker and Fototime teach the limitation of claims 41 and 46 for the same reasons as discussed with respect to claims 41 and 46 above. Drucker further teaches wherein parameters of the content filters (e.g., time-based scroll bar filter 1935, see Fig. 24) are set in a sequential order (i.e., scroll bar parameters are listed from earlier date to later date, see Fig. 24 item 1935), and wherein said lock processor locks (i.e., software component that sets the status of video filter 1920 from normal to illuminated to indicate un-locked or lock status respectively, see Fig. 24 or [0126]) previously set content filters (i.e., when video 1920 is illuminated, only items of video type are shown in the display area, see [0126]).

As to claims 45 and 50, Drucker and Fototime teach the limitation of claims 41 and 46 for the same reasons as discussed with respect to claims 41 and 46 above. Drucker further teaches wherein parameters of the content filters (e.g., time-based scroll bar filter 1935, see Fig. 24) are set in a sequential order (i.e., scroll bar parameters are listed from earlier date to later date, see Fig. 24 item 1935), and wherein said lock processor unlocks (i.e., software component that sets the status of video filter 1920 from normal to illuminated to indicate un-locked or lock status respectively, see Fig. 24 or [0126]) previously set content filters (i.e., when video 1920 is NOT illuminated, all type of items are shown in the display area, see [0126]).

8. Claims 43 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drucker in view of Fototime further in view of Graham et al. (published article, "Time as Essence for Photo Browsing Through Personal Digital Libraries", pp. 326-335; hereinafter Graham).

As to claims 43 and 48, Drucker and Fototime teach the limitation of claims 41 and 46 for the reasons as discussed with respect to claims 41 and 46 above. Drucker and Fototime fail to expressly teach that the alphanumeric string is a statistic about the catalog of assets filtered according to locked content filters.

Graham teaches wherein the alphanumeric string is a statistic about the catalog of assets filtered according to locked content filters (i.e., number displayed next to the year, month, or date indicates the number of items within, see Graham Fig. 5, pp. 331; Further noted that the number displayed next to year 2001 is equal to all the numbers from the months or dates within that year added together, see Fig. 5, pp. 331).

Drucker, Fototime, and Graham are analogous art because they are from the same field of endeavor of organizing, browsing, and displaying photos based on common elements. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the technique of displaying the statistic about the catalog of assets filtered based on another filter on a filter user interface as taught by Graham to the system of browsing and filtering media objects as taught by Drucker and modified by Fototime to allow a user to see in a first glance how many items included and further help the user searches quicker and more effectively (see Graham page 331, Fig. 5).

9. Claims 20-22, 28, 31-33, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of Fototime further in view of Drucker.

As to claims 20 and 31, Moore and Fototime teach the limitation of claims 18 and 29 for the reasons as discussed with respect to claims 18 and 29 above. Moore and Fototime fail to expressly teach that metadata includes data assigned by a capture device.

Drucker teaches wherein metadata includes data assigned by a capture device (intrinsic metadata such as creation date, see [0006] lines 7-12; i.e., a creation date of a photo is embedded by a digital camera when the photo is taken).

Moore, Fototime, and Drucker are analogous art because they are from the same field of endeavor of filtering, organizing, and displaying photos based on common elements. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the filtering component based on intrinsic metadata as taught by Drucker to the system of filtering digital items as taught by Moore and modified by Fototime for facilitating browsing, sorting, clustering, and filtering any number of digital documents with metadata embedded grouped together in a quick and easy manner (see Drucker [0006] lines 1-4).

As to claims 21 and 32, Moore and Fototime teach the limitation of claims 18 and 29 for the reasons as discussed with respect to claims 18 and 29 above. Moore and Fototime fail to expressly teach that metadata includes user assigned data.

Drucker teaches wherein metadata includes user assigned data (extrinsic metadata such as creation date, see [0006] lines 7-12; it should be noted that extrinsic metadata for a media object can be assigned by a user, see [0006] lines 11-13). Thus, combining Moore, Fototime, and Drucker would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 31 above.

As to claims 22 and 33, Moore and Fototime teach the limitation of claims 18 and 29 for the reasons as discussed with respect to claims 18 and 29 above. Moore and Fototime fail to expressly teach that metadata constraints include constraints on date and time metadata.

Drucker teaches wherein the plurality of metadata constraints include at least one constraint on date and time metadata (i.e., time clusters scroll bar 1930, see Fig. 24 and [0126]). Thus, combining Moore, Fototime, and Drucker would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 31 above.

As to claims 28 and 39, Moore and Fototime teach the limitation of claims 18 and 38 for the reasons as discussed with respect to claims 18 and 38 above. Moore and Fototime fail to expressly teach a constraint lock processor for locking at least one metadata constraint so as to remain activated when other metadata constraints are activated, de-activated or modified.

Drucker teaches further comprising a constraint lock processor (i.e., software component that controls the state of illuminated or normal, see [0126]) for locking at least one metadata constraint so as to remain activated when other metadata constraints are activated, de-activated or modified (i.e., video filter 1920 and photos filter 1925, when selected or illuminated, specify the content of media objects present in the display area 1905, see [0126] and Fig. 24; e.g., when the video and photo buttons, when highlighted, remains activated when time-based scroll bar 1935 is activated or de-activated or modified, see [0126]). Thus, combining Moore, Fototime, and Drucker would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 31 above.

Response to Arguments

10. Applicant's arguments filed 11/15/06 have been fully considered but they are not persuasive.

- Applicant's argument that the architecture of Moore is not adaptable to the selective filter activation feature of Fototime and that the selective filter activation feature of Fototime works against the virtual folder paradigm of Moore (see argument page 15, Para 6).

The Examiner respectfully disagrees.

The Examiner would like to point out that obviousness can be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggesting, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071; 5 USPQ2d 1596 (Fed. Cir. 1988). In this case, Moore teaches filters tools for narrowing down a set of items (e.g., see Moore [0013]). Moore further teaches a display interface for activating or de-activating a content filter (i.e., selecting item 610 would de-activate all content filter while selecting item 622 would activate a calendar based filter, see Fig. 10). The Examiner admits that Moore does not expressly teach displaying corresponding checkboxes, each checkbox being used for activating or de-activating its corresponding content filter. Fototime teaches filters mechanism that provide quick selection of photos (see Fototime page 138.htm). Fototime further teaches a filter activation interface for displaying corresponding checkboxes, each checkbox being used for activating or de-activating its corresponding content filter (e.g., frame 'Other Filters' has 4 check boxes that allows a user to select optional filter such as pictures or video filters, see Figure on web page 212.htm). Moore and Fototime both teach filter

activation feature; therefore, the selective filter activation feature of Fototime would work with Moore's system for filtering and organizing items.

- Applicant's argument that Moore fails to teach the user is unable to deactivate a filter without losing a filter setting and that the date filter cannot be de-activated unless the user returns to the original state (see argument page 16).

The Examiner respectfully disagrees.

It is noted that the features upon which applicant relies (i.e., a filter can be deactivated without returning to a previous state, see argument page 16, Para 1, lines 1-11) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- Applicant's argument that Moore is unable to selectively de-activate filters using checkboxes and that when filters are nested in Moore, the outer filters cannot be de-activated (see argument page 16, Para 5, lines 23-25 – page 17, Para 1, lines 1-3).

The Examiner respectfully disagrees.

The Examiner would like to point out that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In addition, the features upon which applicant relies (i.e., the outer filters cannot be de-activated (see argument page 16, Para 5, lines 23-25 – page 17, Para 1, lines 1-3) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- Applicant's argument that Moore does not describe integration of a file folder based filter within Moore's virtual folder architecture and that the file based filtering of Moore cannot be selectively activated and de-activated through use of a checkbox (see argument page 17, Para 3).

The Examiner respectfully disagrees.

The Examiner notes that Moore does teach a file folder filter (see Moore Fig. 18 items 851 and 854) and that a user is able to switch from the virtual files representation to the physical file representation (e.g., see [0117]). In addition, the features upon which applicant relies (i.e., the file based filtering of Moore cannot be selectively activated and de-activated through use of a checkbox, see argument page 17, Para 3) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- Applicant's argument with respect to claim 7 has been considered but are moot in view of the new ground of rejection (see argument page 19, Para 6). Note that Applicant's amendment necessitated the new ground of rejection presented in this office action.

- Applicant's argument that Moore's teaching of modifying quick links are not the same as the Applicant's modifying generated metadata constraint (see argument page 19, Para 4).

The Examiner respectfully disagrees.

The Examiner interprets quick links as generated metadata constraints because quick links are just predefined filters or links that can be clicked on to generate useful views of the sets of items (see Moore e.g., Para [0016]). In Addition, a generated quick link can be modified to further narrow down search items (see Moore e.g., Fig. 34); note that a user can modify 'All authors' quick link by clicking on 'By date' filter.

- Applicant's argument that the lock processor of Drucker is inappropriate for the system of Moore (see argument page 20).

The Examiner respectfully disagrees.

The Examiner would like to point out that obviousness can be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggesting, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071; 5 USPQ2d 1596 (Fed. Cir. 1988). In this case, Moore teaches filters tools for narrowing down a set of items (e.g., see Moore [0013]). Moore further teaches a display interface for activating or de-activating a content filter (i.e., selecting item 610 would de-activate all content filter while selecting item 622 would activate a calendar based filter, see Fig. 10). Drucker teaches a system and method for facilitating browsing, sorting, and filtering any number of media objects (see Drucker e.g., [0006]). Drucker further teaches filter activation interface (see Drucker Fig. 20). Moore and Drucker both teach filter activation feature; therefore, the lock processor of Drucker would be appropriate for the system of Moore.

- Applicant's argument that Drucker fails to teach a lock mechanism (see argument page 21, Para 6).

The Examiner respectfully disagrees.

The Examiner would like to point out that video filter 1920 is more than just an indicator; in fact, the video filter 1920 can act as a video selector that when illuminated, specify the content of media objects present in the display area (e.g., see Drucker e.g., [0126]). Thus, the Examiner interpret this indicator as a selectable indicator (see Drucker [00121], [0126], [0127]). In addition, when a video filter 1920 is illuminated, this causes the display area only shows

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video object; in other words, it causes locking video filter such that when a user applies other filters such as date filter, both constraints – video and date – are applied simultaneously (see Drucker Fig. 20). This video locking mechanism is consistent with the locking mechanism recited in the Applicant's specification (see Applicant's Fig. 2 item 280).

- Applicant's argument that the items displayed in the group filter interface in Fototime are the same regardless of the date ranges selected from the date filter (see argument page 22).

The Examiner respectfully disagrees.

Fototime teaches that users can combine any of the filters to control exactly what pictures ones want to see (see Fototime, page 138.htm). In other words, if a user change the date range during which it does not include 'Honeymoon' trip, it will affect the display of the group filter such that clicking on Vacation will not show 'Honeymoon' (see Fototime Figures on page 138.htm).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T
12/29/2006

Lien Tran
Examiner
Art Unit 2179

BA HUYNH
PRIMARY EXAMINER